

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

EDDIE JAY THATCHER,
Plaintiff,

v.

**OAKBEND MEDICAL CENTER; and
HAROLD ALLEN, individually and in his
official capacity,**
Defendants.

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CIVIL ACTION 4:14-cv-03551

**ORDER GRANTING DEFENDANT'S
MOTION FOR JUDGMENT AS A MATTER OF LAW**

ON THIS DAY, the Court considered Defendant's Motion for Judgment as a Matter of Law filed by Defendant OakBend Medical Center. After considering the Motion, the Court is of the opinion that it should be GRANTED. It is therefore

ORDERED that Plaintiff Eddie Jay Thatcher did not engage in speech protected under the First Amendment and Defendant is therefore entitled to judgment as a matter of law on Plaintiff's claim for retaliatory discharge pursuant to 42 U.S.C. § 1983.

Alternatively, it is ORDERED that there is insufficient evidence of malice or reckless indifference by Defendant to support the jury verdict of punitive damages and Plaintiff is not entitled to punitive damages as a matter of law.

Signed this _____ day of _____, 2016.

Gray H. Miller
United States District Judge